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SIPDIS

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TAGS: [PREL](#) [PTER](#) [UNSC](#) [SY](#) [LE](#)
SUBJECT: LEBANON TRIBUNAL: PENSION FUND APPLICATION
APPROVED

REF: A. USUN 629
[1](#)B. USUN 551
[1](#)C. USUN 435
[1](#)D. USUN/IO EMAIL (WILCOX/HACKETT)--05/15/2008
[1](#)E. USUN 430
[1](#)F. USUN 239
[1](#)G. USUN 220
[1](#)H. USUN 198
[1](#)I. STATE 1070

Classified By: Amb. Zalmay Khalilzad, for reasons 1.4(b) and (d).

[1](#)1. (SBU) BEGIN SUMMARY: USUN LegalOff represented the Management Committee of the Special Tribunal for Lebanon (STL) in a videoteleconference with the Board of the UN Joint Staff Pension Fund on July 17. The Board was considering the Management Committee's application for the STL to join the Fund. In an important decision that will advance efforts to operationalize the STL, the Board agreed to recommend that the General Assembly vote to admit the STL to the Fund as of January 1, subject to confirmation that the STL would follow the UN common system with respect to compensation, salaries, and benefits. END SUMMARY.

[1](#)2. (C) The Management Committee applied for admission to the Fund in May after extensive deliberations (refs). Dutch law requires the STL to provide pension benefits for its staff, and the Management Committee decided to seek such admission after receiving assurances from the UN Secretariat that joining the Fund would represent the most appropriate and cost-effective way to meet the Dutch requirements. The Committee also agreed to do so as a means to ensure a smooth transition from the UN Independent Investigation Commission (UNIIC) to the STL. The Committee agreed that joining the Fund would be a key tool for recruiting UNIIC staff to the STL. This way, UNIIC staff would be able to retain their pension coverage after joining the STL. STL Prosecutor-Designate and UNIIC Commissioner Bellemare has stressed that the STL should offer UNIIC staff members the same compensation and benefits that they currently receive at UNIIC to ensure that the STL's Office of the Prosecutor can retain UNIIC's experienced investigators once the UNIIC mandate expires (ref B).

[1](#)3. (SBU) The Management Committee's application to join the Fund (ref D) noted that on March 6, the Committee agreed in principle to align the salaries, allowances, and other conditions of service of staff with those prevailing in the UN common system. That decision largely reflected the Committee's goal of attracting staff of the UNIIC to the STL.

[1](#)4. (SBU) COMMENT: The Pension Fund's decision is an important step forward in the effort to operationalize the STL as soon as possible, but the discussions in the General Assembly's Fifth Committee (Administrative and Budgetary Questions) may prove more contentious. USUN understands that the Russians, who believe they should have a seat on the Management Committee, intend to block the proposal in the

Fifth Committee. Russia has provided USD 500,000 to the Committee, but not the USD 1 million that the Committee requires for membership, and argues that all P-5 members should participate in the Committee. Assuming a favorable result in the Fifth Committee this fall, the STL would have pension coverage secured for its staff when many new staff, particularly former UNIIIC staff members, are expected to join the STL. END COMMENT.
Khalilzad